

**REMARKS/ARGUMENTS**

This Amendment is being filed in response to the Office Action of March 17, 2009. Reconsideration and allowance of the application in view of the remarks to follow are respectfully requested.

In the Office Action, claims 7-9 are rejected under 35 U.S.C. §101. This rejection of claims 7-9 is respectfully traversed. However, without agreeing with the position forwarded in the Office Action and in the interest of advancing prosecution, claims 7-9 are amended to clarify that the method of the present system transforms a three-dimensional reconstructed volume comprising a plurality of planar images into a second-stage corrected image. As should be clear from claim 7, the process of the claim transforms the underlying subject matter of the claim, namely the three-dimensional reconstructed volume comprising a plurality of planar images, to a different state or thing, namely the second-stage corrected image. It is respectfully submitted that claims 7-9 clearly are directed to statutory subject matter. Accordingly, it is respectfully submitted that the subject matter of claims 7-9 is statutory and it is respectfully requested that this rejection of claims 7-9 under 35 U.S.C. §101 be withdrawn.

In the Office Action, claims 1-4 and 6-9 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 5,434,902 to Bruijns ("Bruijns"). Claims 5 and 10 are rejected under 35 U.S.C. §103(a) over Bruijns in view of U.S. Patent No. 5,748,768 to Silver ("Silver"). This rejection of claims 1-10 is respectfully traversed. It is respectfully submitted that claims 1-10 are allowable over Bruijns alone and in view of Silver for at least the following reasons.

It is now undisputed that "Bruijns does not explicitly teach that the first corrective image is applied prior to a subsequent application of a second corrective image" (see, Office Action, page 4), since in Bruijns, the combined correction factors are applied to the recombined image to produce the corrected image as previously discussed by the Applicants.

Accordingly, it is respectfully submitted that the system of claim 1 is not anticipated or made obvious by the teachings of Bruijns. For example, Bruijns does not disclose or suggest, a system that amongst other patentable elements, comprises (illustrative emphasis added) "an image artifact reducer arranged to process said planar images with a first corrective image for eliminating a first source of structured noise in said images,

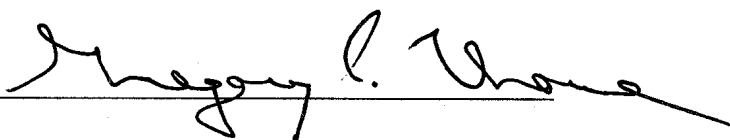
thereby producing a gain corrected image, arranged to apply an unwarping function to the gain corrected image, thereby producing an unwarped gain corrected image, and arranged to apply a second corrective image to the unwarped gain corrected image for eliminating a second source of structured noise in said images" as recited in claim 1, and as similarly recited in each of claims 7 and 10. As discussed in great detail above, since Bruijns merely teaches that a combined correction factor is applied to a recombined image, clearly Bruijns does not teach disclose or suggest applying an unwarping function to the gain corrected image prior to applying the second corrective image. Silver is introduced for allegedly showing elements of the dependent claims and as such, does nothing to cure the deficiencies in Bruijn.

Based on the foregoing, the Applicants respectfully submit that independent claims 1, 7 and 10 are patentable over Bruijns alone and in view of Silver and notice to this effect is earnestly solicited. Claims 2-6 and 8-9 respectively depend from one of claims 1 and 7 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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